

To the Members of the California State Senate:

I am returning Senate Bill 1544 without my signature.

Improving the reliability and accuracy of eyewitness identifications is a laudable goal; however, SB 1544 would go too far in attempting to address the problems of unreliable eyewitness identifications. This bill would require that the Department of Justice (DOJ) and Commission on Peace Officer Standards and Training (POST) consult with law enforcement agencies, prosecutors, public defenders, and other legal experts in order to develop mandatory guidelines and policies for the collection and handling of eyewitness evidence.

Eyewitness evidence is a critical part of the criminal justice process. Any changes to the procedures for criminal identification would have an undeniably significant impact to the manner in which our system operates. It is unthinkable that we would allow the DOJ and POST such unprecedented authority over a fundamental step in our criminal justice system. I cannot support a measure that circumvents the legislative process and denies the public and their elected representatives the chance to approve or deny a statewide policy that could have a life-altering impact on an individual participating in our justice system.

For these reasons I am unable to sign this bill.

Sincerely,

Arnold Schwarzenegger